

9/20/2016

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

|                                      |   |                                    |
|--------------------------------------|---|------------------------------------|
| ISRAEL RAY COOPER,                   | ) | CASE NO. 7:15CV00522               |
|                                      | ) |                                    |
| Plaintiff,                           | ) |                                    |
| v.                                   | ) | FINAL ORDER                        |
|                                      | ) |                                    |
| WARDEN E. BARKSDALE, <u>ET AL.</u> , | ) | By: Hon. Glen E. Conrad            |
|                                      | ) | Chief United States District Judge |
| Defendants.                          | ) |                                    |

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that defendants' motion for summary judgment on the ground of failure to exhaust administrative remedies (ECF No. 45), as required under 42 U.S.C. § 1997e(a), is **GRANTED**; plaintiff's motion for summary judgment on the ground of alleged fraud upon the court (ECF No. 49) is **DENIED**; plaintiff's claims are **DISMISSED** without prejudice; and the clerk shall **STRIKE** this case from the active docket of the court.

ENTER: This 20<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
Chief United States District Judge